

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Al-Rad Cobbs,)	
)	
Plaintiff,)	Civil Action No. 6:16-812-TMC
)	
vs.)	ORDER
)	
D.J. Highhouse-T954, and)	
Sergio Reyes,)	
)	
Defendants.)	
)	

Plaintiff, proceeding pro se, filed this action, concerning a car accident that occurred on April 13, 2013. In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., these matters were referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge's Report and Recommendation ("Report"), recommending that the court dismiss Plaintiff's complaint without prejudice and without issuance and service of process. (ECF No. 11). Plaintiff was advised of his right to file objections to the Report. (ECF No. 11 at 6). Plaintiff, however, filed no objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

After a thorough review of the Report and the record in this case, the court adopts the magistrate judge's Report (ECF No. 11) and incorporates it herein. As acknowledged by the magistrate judge, the complaint fails to state a cognizable cause of action because Plaintiff does not request any relief. *See Glover v. Powell*, No. 3:07-1607-RBH, 2007 WL 2156689, at *3 (D.S.C. July 26, 2007) (“Were this Court to find that Plaintiff's rights have been violated, but order no remedy, it would, in effect, be rendering an advisory opinion. Such action is barred by Article III of the Constitution.”). It is therefore **ORDERED** that Plaintiff's complaint is **DISMISSED** without prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/Timothy M. Cain
Timothy M. Cain
United States District Judge

April 18, 2016
Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.